

3151. Adulteration and misbranding of castor oil. U. S. v. William Hoyt Elliott (National Specialty Co.). Plea of *nolo contendere*. Fine, \$101. (F. D. C. No. 26689. Sample No. 23242-K.)

INFORMATION FILED: April 18, 1949, Middle District of Tennessee, against William Hoyt Elliott, trading as the National Specialty Co., Nashville, Tenn.

ALLEGED SHIPMENT: On or about October 20, 1947, from the State of Tennessee into the State of Louisiana.

LABEL, IN PART: "Nasco Brand Castor Oil."

NATURE OF CHARGE: Adulteration, Section 501 (d) (2), a substance, spirits of turpentine, had been substituted for *castor oil*.

Misbranding, Section 502 (a), the label statement "Castor Oil" was false and misleading since the article did not consist of *castor oil* but did consist of spirits of turpentine.

DISPOSITION: May 15, 1950. A plea of *nolo contendere* having been entered, the court imposed a fine of \$101.

3152. Adulteration and misbranding of Vitramone and A-Vee. U. S. v. 87 Vials, etc. (F. D. C. No. 29317. Sample Nos. 73928-K, 73929-K.)

LIBEL FILED: May 17, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about March 21, 1950, by Harvey Laboratories, Inc., from Philadelphia, Pa.

PRODUCT: 87 vials of *Vitramone* and 93 vials of *A-Vee* at New York, N. Y. Examination showed that the products contained less than the declared amount of riboflavin.

LABEL, IN PART: (Vial) "1-10 cc. Ampul-Vial Vitramone * * * Intramuscular Injection of Vitamin B Complex * * * Each cc. contains: * * * Riboflavin 2 Mg." and (vial) "1-10 cc. Ampul-Vial A-Vee Sterile solution for parenteral use containing Vitamin B-Complex factors * * * Each cc. contains: * * * Riboflavin 2 Mg."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the articles fell below that which they purported and were represented to possess, namely, 2 mg. of riboflavin per cc.

Misbranding, Section 502 (a), the statements on the labels of the articles "Each cc. contains: * * * Riboflavin 2 Mg. * * *" were false and misleading.

DISPOSITION: June 22, 1950. Default decree of condemnation. The court ordered that the products be delivered to the Food and Drug Administration.

3153. Adulteration and misbranding of hydrogen peroxide. U. S. v. 39 Dozen Bottles * * *. (F. D. C. No. 28966. Sample No. 76410-K.)

LIBEL FILED: April 13, 1950, Eastern District of Arkansas.

ALLEGED SHIPMENT: On or about December 8, 1949, and January 17, 1950, from St. Louis, Mo.

PRODUCT: 39 dozen bottles of *hydrogen peroxide* at Little Rock, Ark.

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be and was represented as a drug, "Solution of Hydrogen Peroxide," the name

of which is recognized in the United States Pharmacopoeia, an official compendium, and its strength differed from the official standard since it contained less than 2.5 grams hydrogen peroxide in each 100 cc.

Misbranding, Section 502 (a), the label statement "Contains 3% Hydrogen Peroxide" was false and misleading as applied to an article which contained less than 3 percent hydrogen peroxide.

The article was adulterated and misbranded in the above respects while held for sale after shipment in interstate commerce.

DISPOSITION: June 12, 1950. Default decree of condemnation and destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE*

3154. Misbranding of Gramer's Sulgly-Minol. U. S. v. 79 Bottles * * *.
(F. D. C. No. 28704. Sample Nos. 54749-K, 54750-K.)

LIBEL FILED: On or about February 21, 1950, Northern District of Texas; amended libel filed on or about March 14, 1950.

ALLEGED SHIPMENT: On or about September 13, 1949, by the Walter W. Gramer Co., from Minneapolis, Minn.

PRODUCT: 79 4-ounce bottles of *Gramer's Sulgly-Minol* at Fort Worth, Tex., together with a number of leaflets entitled "Walter W. Gramer Co. Manufacturers of Gramer's Sulgly-Minol," a number of leaflets entitled "Arthritis . . . Hundreds Claim It's Grip Broken," and a number of circulars entitled "A Light Should Not Be Hidden—Testimonials."

LABEL, IN PART: (Bottle) "Gramer's Sulgly-Minol A Solution of Sulphur, Glycerine, Sulphurated Lime and Isopropyl Alcohol 6%."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the label of the article and in the leaflets were false and misleading since the statements represented and suggested that the article was effective as a treatment, cure, and prevention for rheumatism and arthritis conditions, and as a treatment for boils and acne, whereas the article was not effective for such purposes.

DISPOSITION: June 29, 1950. Default decree of condemnation. The court ordered the drug, leaflets, and circulars destroyed.

3155. Misbranding of Gramer's Sulgly-Minol. U. S. v. 23 Bottles * * *.
(F. D. C. No. 29334. Sample No. 71499-K.)

LIBEL FILED: May 25, 1950, Southern District of California.

ALLEGED SHIPMENT: On or about April 1 and May 1, 1950, by the Radiant Health Products, from Bellingham, Wash.

PRODUCT: 23 4-ounce bottles of *Gramer's Sulgly-Minol* at Los Angeles, Calif., together with copies of a leaflet entitled "Arthritis . . . Hundreds Claim It's Grip Broken" and a copy of a circular entitled "A Light Should Not Be Hidden."

LABEL, IN PART: (Bottle) "Gramer's Sulgly-Minol A solution of Sulphur, Glycerine, Sulphurated Lime and Alcohol 6%."

*See also Nos. 3147, 3149-3153.